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Attorneys for GOOGLE LLC

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

SONOS, INC.,

Case No. 3:20-cv-06754-WHA
Related to Case No. 3:21-cv-07559-WHA

18 Plaintiff and Counter-Defendant,

20 | VS.

21 | GOOGLE LLC.

23 | Defendant and Counter-
Claimant.

**DECLARATION OF JOCELYN MA IN
SUPPORT OF GOOGLE LLC'S
ADMINISTRATIVE MOTION TO FILE
UNDER SEAL PORTIONS OF ITS
MOTION *IN LIMINE* NO. 3 TO
EXCLUDE PORTIONS OF THE EXPERT
REPORT AND CERTAIN TESTIMONY
OF MR. JAMES MALACKOWSKI AND
DR. KEVIN ALMEROOTH REGARDING
GOOGLE'S NON-INFRINGEMENT
ALTERNATIVES**

1 I, Jocelyn Ma, declare and state as follows:

2 1. I am an attorney licensed to practice in the State of California and am admitted to
 3 practice before this Court. I am an associate at Quinn Emanuel Urquhart & Sullivan LLP representing
 4 Google LLC (“Google”) in this matter. I make this declaration in support of Google’s Administrative
 5 Motion to File Under Seal Portions of its Motion *in Limine* No. 3 to Exclude Portions of The Expert
 6 Report And Certain Testimony of Mr. James Malackowski and Dr. Kevin Almeroth Regarding
 7 Google’s Non-Infringing Alternatives (“Motion *in Limine* No. 3”) (“Google’s Administrative
 8 Motion”). If called as a witness, I could and would testify competently to the information contained
 9 herein.

10 2. Google’s Administrative Motion seeks an order sealing the following materials:

Document	Portions to Be Filed Under Seal	Designating Party
Exhibit 3 to the Declaration of Jocelyn Ma in Support of Google’s Motion <i>in Limine</i> No. 3 (“Exhibit 3”)	Portions outlined in red boxes	Google

15 3. The portions of Exhibit 3 outlined in red boxes contain confidential information
 16 regarding Google’s highly sensitive financial data for its non-infringing alternatives in this case.
 17 Public disclosure of this information would harm the Google’s competitive standing and create a risk
 18 of injury by providing competitors with access to information that Google does not have similar
 19 access to about their competitors, allowing them to gain a competitive advantage in the marketplace.
 20 If such information were made public, I understand that Google’s competitive standing would be
 21 significantly harmed. Google has therefore designated this information as HIGHLY
 22 CONFIDENTIAL—ATTORNEYS’ EYES ONLY under the protective order (Dkt. 92).

23 4. The portions of Exhibit 3 outlined in red boxes also contain confidential information
 24 regarding Google’s highly sensitive financial and product revenue data, as well as figures from which
 25 a competitor could deduce Google’s highly sensitive financial and product revenue data. Public
 26 disclosure of this information would harm the Google’s competitive standing and create a risk of
 27 injury by providing competitors with access to information that Google does not have similar access to
 28 about their competitors, allowing them to gain a competitive advantage in the marketplace. If such

1 information were made public, Google's competitive standing would be significantly harmed. Google
2 has therefore designated this information as HIGHLY CONFIDENTIAL—ATTORNEYS' EYES
3 ONLY under the protective order (Dkt. 92).

4 I declare under penalty of perjury that to the best of my knowledge the foregoing is true and
5 correct. Executed on April 26, 2023, in San Francisco, California.

6 DATED: April 26, 2023

7 By: /s/ Jocelyn Ma
8 Jocelyn Ma

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ATTESTATION

I, Sean Pak, am the ECF user whose ID and password are being used to file the above Declaration. In compliance with Civil L.R. 5-1, I hereby attest that Jocelyn Ma has concurred in the aforementioned filing.

DATED: April 26, 2023

/s/ Sean Pak

Sean Pak